

**UNITED STATES DISTRICT COURT
GEORGIA NORTHERN DISTRICT COURT
NEWNAN DIVISION**

CASE NO.:

DAVE SANSOM,

Plaintiff,

v.

GEORGIA RLI CHAPTER NO. 29, INC.,

Defendant,

COMPLAINT FOR COPYRIGHT INFRINGEMENT
(INJUNCTIVE RELIEF DEMANDED)

Plaintiff, DAVE SANSOM, by and through his undersigned counsel, brings this Complaint against Defendant, GEORGIA RLI CHAPTER NO. 29, INC., for damages and injunctive relief, and in support thereof states as follows:

SUMMARY OF THE ACTION

1. Plaintiff DAVE SANSOM (“Sansom”) brings this action for violations of his exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute, Sansom's original copyrighted Work of authorship.

2. Sansom is a professional photographer and owner of Dave Sansom Photography, LLC. He spends most of his time photographing some of the finest golf courses on the planet, including courses that have hosted the PGA and USGA events. Sansom continues to expand his professional skills by adding in fine art landscaping and travel photography as parts of his creative business model.

3. Defendant GEORGIA RLI CHAPTER NO. 29, INC. (“Georgia RLI”) is a Chapter of the national REALTORS® Land Institute. This specific chapter specializes in land

SRIPLAW

CALIFORNIA ♦ GEORGIA ♦ FLORIDA ♦ INDIANA ♦ TENNESSEE ♦ NEW YORK

brokerage and is open to all land professionals practicing in the industry. Georgia RLI focuses on farms, ranches, undeveloped tracts of land, appraisals and land valuation, as well as other types of land management services. At all times relevant herein, Georgia RLI owned and operated the internet website located at the URL <https://www.rliland.com/georgia> (the “Website”).

4. Sansom alleges that Defendant copied his copyrighted Work from the internet in order to advertise, market and promote its business activities. Georgia RLI committed the violations alleged in connection with its business.

JURISDICTION AND VENUE

5. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

6. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

7. Defendant is subject to personal jurisdiction in Georgia.

8. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Georgia RLI engaged in infringement in this district, Georgia RLI resides in this district, and Georgia RLI is subject to personal jurisdiction in this district.

DEFENDANT

9. Georgia RLI Chapter No. 29, Inc. is a company incorporated in Georgia, with its principal place of business at 11 West Washington Street, Newnan, Georgia, 30263, and can be served by serving its Registered Agent, Sam Bowers, at 11 West Washington Street, Newnan, GA 30263.

THE COPYRIGHTED WORK AT ISSUE

10. In 2017, Sansom created the photograph entitled “GCOG_Aerial01-Edit-Edit”, which is shown below and referred to herein as the “Work”.



11. Sansom registered the Work with the Register of Copyrights on December 29, 2017, and was assigned registration number VA 2-083-525. The Certificate of Registration is attached hereto as **Exhibit 1**.

12. Sansom's Work is protected by copyright but was not otherwise confidential, proprietary, or trade secrets. The Work in perspective, orientation, positioning, lighting, and other details is entirely original, distinctive, and unique. As such, the Work qualifies as subject matter protectable under the Copyright Act.

13. At all relevant times Sansom was the owner of the copyrighted Work.

INFRINGEMENT BY GEORGIA RLI

14. Georgia RLI has never been licensed to use the Work for any purpose.

15. On a date after the Work was created, but prior to the filing of this action, Georgia RLI copied the Work.

16. On or about May 4, 2022, Sansom discovered the unauthorized use of his Work at the URL <https://www.tickettailor.com/events/gachapterrealtorlandinstitute/578480>. (the "Ticket Website")

17. The Ticket Website is a platform that allows users to post their own content to market their events. By using the Ticket Website's services, the users agree to the terms and conditions that they have permission to use all of the content they upload to the Ticket Website.¹

18. Georgia RLI posted the Work on the Ticket Website to promote their annual Southeastern RLI Chapters Conference. The Contact the Event Organizer information is attached hereto as **Exhibit 2**.

19. Georgia RLI copied Sansom's copyrighted Work without Sansom's permission.

20. After Georgia RLI copied the Work, it made further copies and distributed the Work on the internet to promote the sale of goods and services as part of its annual conference.

21. Georgia RLI copied and distributed Sansom's copyrighted Work in connection with Defendant's business for purposes of advertising and promoting Defendant's business, and in the course and scope of advertising and selling products and services.

22. Georgia RLI committed copyright infringement of the Work as evidenced by the documents attached hereto as **Exhibit 3**.

23. Sansom never gave Defendant permission or authority to copy, distribute or display the Work at issue in this case.

24. Sansom notified Georgia RLI of the allegations set forth herein on May 02, 2023, and June 07, 2023. To date, the parties have failed to resolve this matter.

COUNT I **COPYRIGHT INFRINGEMENT**

25. Sansom incorporates the allegations of paragraphs 1 through 24 of this Complaint as if fully set forth herein.

26. Sansom owns a valid copyright in the Work at issue in this case.

¹ <https://www.tickettailor.com/terms-and-conditions/>

27 Sansom registered the Work at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

28 Georgia RLI copied, displayed, and distributed the Work at issue in this case and made derivatives of the Work without Sansom's authorization in violation of 17 U.S.C. § 501.

29 Georgia RLI performed the acts alleged in the course and scope of its business activities.

30 Defendant's acts were willful.

31 Dave Sansom has been damaged.

32 The harm caused to Dave Sansom has been irreparable.

WHEREFORE, the Plaintiff, DAVE SANSOM, prays for judgment against the Defendant, GEORGIA RLI CHAPTER NO. 29, INC., that:

a. Georgia RLI and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;

b. Georgia RLI be required to pay Dave Sansom its actual damages and Defendant's profits attributable to the infringement, or, at Sansom's election, statutory damages, as provided in 17 U.S.C. § 504

c. Sansom be awarded its attorneys' fees and costs of suit under the applicable statutes sued upon;

d. Sansom be awarded pre- and post-judgment interest; and

e. Sansom be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

Dave Sansom hereby demands a trial by jury of all issues so triable.

DATED: February 22, 2024

Respectfully submitted,

/s/ Faith Beckworth
FAITH BECKWORTH
faith.beckworth@sriplaw.com

SRIPLAW, P.A.
3355 Lenox Rd. NE
Ste. 750
Atlanta, GA 30326
470.200.0168 - Telephone
561.404.4353 – Facsimile

Counsel for Plaintiff Dave Sansom